

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 66-91 are pending in the application, with claims 66, 73, 75 and 84 being the independent claims. Claims 1-65 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein, and new claims 66-91 are sought to be added. Minor amendments to the specification have also been made. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Double Patenting Rejection

The Examiner provisionally rejected claims 1-65 under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-65 of co-pending U.S. Patent Application No. 09/858,281. By the foregoing amendment, Applicants have cancelled claims 1-65, thereby rendering these rejections moot. Applicants respectfully submit that new claims 66-91 are patentably distinct from claims 1-65 of co-pending U.S. Patent Application No. 09/858,281. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the double patenting rejection.

Claim Objections

The Examiner objected to claim 65 because it includes reference characters that are not enclosed within parentheses. By the foregoing amendment, Applicants have cancelled claim 65, thereby rendering this objection moot. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw this claim objection.

Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1, 3, 4, 6, 8-12, 14-17, 19-21, 23, 24, 26, 28-32, 34-37, 39-44, 46-48, 51-53, 56-62, 64 and 65 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,173,266 to Marx ("Marx"). By the foregoing amendment, Applicants have cancelled these claims, thereby rendering the rejections moot. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw these rejections.

Rejections under 35 U.S.C. § 103

The Examiner rejected claims 2, 7, 22 and 27 under 35 U.S.C. § 103(a) as unpatentable over Marx in view of U.S. Patent No. 6,185,535 to Hedin *et al.* ("Hedin"), claims 5, 13, 18, 25, 33, 38, 45, 54 and 55 under 35 U.S.C. § 103(a) as unpatentable over Marx in view of U.S. Patent No. 5,812,977 to Douglas ("Douglas"), and claims 49, 50 and 63 under 35 U.S.C. § 103(a) as unpatentable over Marx. By the foregoing amendment, Applicants have cancelled these claims, thereby rendering the rejections

moot. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw these rejections.

New Claims

Applicants have added new claims 66-91. The addition of these claims is believed to add no new matter and their entry is respectfully requested.

Claims 66-72 are directed to a system. In particular, independent claim 66 recites a system that includes:

a data system; and

a voice user interface adapted to permit a user to conduct commercial transactions via the data system;

wherein the voice user interface comprises an inferencing engine adapted to analyze data relating to previous commercial transactions made by a user, to identify products and/or services of interest to the user based on the analysis, and to provide voice content to the user that relates to the identified products and/or services.

The art of record does not teach or suggest each of the foregoing features. For example, Marx, Douglas, and Hedin, alone or in combination, do not teach or suggest each of the foregoing features. Consequently, Applicants respectfully submit that claim 66 is patentable over the art of record. Furthermore, since claims 67-72 depend from claim 66 and therefore include each and every feature recited therein, Applicants also respectfully submit that these claims are patentable over the art of record.

Claims 73-74 are directed to a voice integration platform for developing a voice user interface to a data system. In particular, independent claim 73 recites a voice integration platform for developing a voice user interface to a data system that includes:

a voice gateway adapted to permit voice interaction with a user;

one or more voice applications that allow a user to conduct commercial transactions via the data system; and

an inferencing engine adapted to analyze data stored in the data system relating to previous commercial transactions made by a user, to identify products and/or services of interest to the user based on the analysis, and to provide voice content to the user that relates to the identified products and/or services.

The art of record does not teach or suggest each of the foregoing features. For example, Marx, Douglas, and Hedin, alone or in combination, do not teach or suggest each of the foregoing features. Consequently, Applicants respectfully submit that claim 73 is patentable over the art of record. Furthermore, since claim 74 depends from claim 73 and therefore includes each and every feature recited therein, Applicants also respectfully submit that this claim is patentable over the art of record.

Claims 75-83 are directed to a system. In particular, independent claim 75 is directed to a system that includes:

a data system;

content management software adapted to receive a stream of audio content and to selectively store portions of the audio content stream in the data system;

a voice user interface adapted to permit a user to selectively access one of the portions of the audio content stream stored in the data system for playback.

The art of record does not teach or suggest each of the foregoing features. For example, Marx, Douglas, and Hedin, alone or in combination, do not teach or suggest each of the foregoing features. Consequently, Applicants respectfully submit that claim 75 is patentable over the art of record. Furthermore, since claims 76-83 depend from claim 75

and therefore include each and every feature recited therein, Applicants also respectfully submit that these claims are patentable over the art of record.

Claims 84-91 are directed to a voice integration platform for developing a voice user interface to a data system. In particular, independent claim 84 recites a voice integration platform for developing a voice user interface to a data system that includes:

a voice gateway adapted to permit voice interaction with a user;

content management software adapted to receive a stream of audio content and to selectively store portions of the audio content stream in the data system; and

one or more voice applications adapted to allow a user to selectively access, via the voice gateway, one of the portions of the audio content stream stored in the data system for playback.

The art of record does not teach or suggest each of the foregoing features. For example, Marx, Douglas, and Hedin, alone or in combination, do not teach or suggest each of the foregoing features. Consequently, Applicants respectfully submit that claim 84 is patentable over the art of record. Furthermore, since claims 85-91 depend from claim 84 and therefore include each and every feature recited therein, Applicants also respectfully submit that these claims are patentable over the art of record.

Conclusion

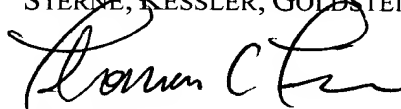
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will

expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Thomas C. Fiala
Attorney for Applicants
Registration No. 43,610

Date: 7/21/04

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
289050v1